

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JACK L. MORRIS,

No. C 06-5015 SI (pr)

Plaintiff,

ORDER

v.

JOE McGRATH, warden; et al.,

Defendants.

Plaintiff filed a motion to file an amendment to his complaint to correct the name of one of the defendants for whom he had provided an incorrect name in his complaint. The motion to amend is GRANTED in that the court permits the amendment to the complaint to change the name of defendant C. Brous to P. Brous. (Docket # 44.)

Plaintiff filed a "motion to commence discovery, establish briefing schedule for dispositive motions and seek completion of service." The motion is GRANTED in limited part. (Docket # 42.) The court already authorized the parties to commence discovery, so further authorization is unnecessary. See July 7, 2007 Order Regarding Discovery and Re-Setting Dispositive Motion Schedule, p. 1. A briefing schedule for dispositive motions will be set later in this order. As to completion of service of process, plaintiff sent to the court two completed custodian of records subpoenas for issuance, but due to an oversight at the court, the subpoenas were not issued and the date for compliance with them has passed. The clerk will return the unserved subpoenas as well as two blank subpoena forms to plaintiff. Plaintiff should fill out a new subpoenas with a new date (and place, if necessary) for production of the records and should delete any request for records about defendants who have been served with process

1 already. Plaintiff should then return the completed subpoenas to the clerk to have them issued.

2 The court now sets the following briefing schedule for dispositive motions:


3 1. Defendants must file and serve their dispositive motion no later than **August 1, 2008**.

4 2. Plaintiff must file and serve on defense counsel his opposition to the dispositive
5 motion no later than **September 12, 2008**.

6 3. Defendants must file and serve their reply brief, if any, no later than **September 26,**
7 **2008**.

8 IT IS SO ORDERED.

9 Dated: May 13, 2008


SUSAN ILLSTON
United States District Judge